

REMARKS

Claims 55-61 are canceled herein. Claims 1 and 3-54 now remain pending in the application.

35 USC 101 Rejection of Claim 55

The Office Action rejected claim 55 under 35 USC 101 as allegedly being directed toward non-statutory subject matter, specifically alleging that “the system can be embodied in software”.

Claim 55 is canceled herein, making the rejection now moot.

Claims 1, 3-10, 15 and 17-61 over Gleeson in view of Dunlop and Schuster

In the Office Action, claims 1, 3-10, 15 and 17-61 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 5,446,736 to Gleeson et al. (“Gleeson”) in view of U.S. Patent No. 6,721,872 to Dunlop et al. (“Dunlop”), and in further view of U.S. Patent No. 6,785,261 to Schuster et al. (“Schuster”). The Applicants respectfully traverse the rejection.

Claims 55-61 are canceled herein, making the rejection of claims 55-61 now moot.

Claims 1, 3-10, 15 and 17-47 recite, *inter alia*, a protocol gateway adaptively arranged between at least two of a plurality of communication networks respectively communicating messages with a plurality of differing wireless network protocols. Claims 48-54 recite, *inter alia*, communicating messages between a client and a server over a plurality of communication networks through a protocol gateway supporting a plurality of differing wireless network protocols.

The Examiner acknowledges that Gleeson fails to teach a protocol gateway adaptively arranged between at least two of a plurality of networks. (see Office Action, page 4) The Examiner proposes to modify Gleeson with this acknowledged deficiency, as allegedly taught by Dunlop. (see Office Action, page 4)

Gleeson's standardizes protocol communications. (see Abstract) Gleeson teaches that the deficiency in the art that he addressees is the use of a

plurality of specialized protocols that require custom protocol converters. (see Gleeson at col. 3, lines 18-30) Thus, Gleeson does away with specialized protocols and custom protocol converters by using standardized protocol communications.

Thus, Gleeson teaches away from the Examiner's proposed modification to use a protocol gateway respectively communicating and supporting messages with a plurality of differing wireless network protocols.

A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. MPEP §2141.02, page 2100-127 (Rev. 2, May 2004) (citing W.L. Gore & Assoc. v. Garlock, Inc., 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984)).

Claims 1, 3-10, 15 and 17-54 recite, inter alia, a protocol gateway to encapsulate multiple segments with a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to the multiple segments.

The Examiner acknowledges that Gleeson fails to teach a protocol gateway adaptively arranged between at least two of a plurality of networks. (see Office Action, page 4) The Examiner relies on Dunlop to allegedly teach such features.

Dunlop teaches a reconfigurable network interface architecture that operates on the standard seven-layer OSI network protocol. (see col. 4, lines 5-15) Dunlop fails to teach use of a connectionless protocol, much less a protocol gateway to encapsulate multiple segments with a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to the multiple segments, as claimed.

The Examiner acknowledges that Gleeson fails to teach segmenting a message into multiple segments and encapsulating the multiple segments with a segment header into an encapsulated message. (see Office Action, page 4) The Examiner proposes to modify Gleeson with this acknowledged deficiency, as allegedly taught by Schuster at col. 1, line 63 - col. 2, line 7. (see Office Action, page 4)

Schuster teaches at col. 1, line 63 - col. 2, line 7:

In a packet switched network, a message to be sent is divided into blocks, or data packets, of fixed or variable length. The packets are then sent individually over the network through multiple locations and then reassembled at a final location before being delivered to a user at a receiving end. To ensure proper transmission and re-assembly of the blocks of data at the receiving end, various control data, such as sequence and verification information, is typically appended to each packet in the form of a packet header. At the receiving end, the packets are then reassembled and transmitted to an end user in a format compatible with the user's equipment.

To facilitate packet-based communication over interconnected networks that may include computers of various architectures and operating systems, the networks and computers typically operate according to an agreed set of packet switching protocols. A variety of such protocols are available, and these protocols range in degree of efficiency and reliability. Those skilled in the art are familiar, for instance, with the Transport Control Protocol/Internet Protocol (TCP/IP) suite of protocols, which is used to manage transmission of packets throughout the Internet and other packet switched networks.

Thus, Schuster teaches functionality associated with TCP/IP, not a connectionless protocol. Schuster fails to disclose, teach or suggest a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to multiple segments, much less encapsulating segments from a protocol gateway with a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to multiple segments, as recited by claims 1, 3-10, 15 and 17-54.

Schuster teaches of a connectionless protocol, such as User Datagram Protocol (UDP) at col. 2, lines 37-57. However, Schuster teaches a conventional connectionless protocol, not a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality**, much less a protocol gateway to encapsulate multiple segments with a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to the multiple segments, as recited by claims 1, 3-10, 15 and 17-54.

Gleeson, Dunlop and Schuster, either alone or in combination, fail to disclose, teach or suggest a protocol gateway to encapsulate multiple segments with a **connectionless protocol header providing Transmission**

Control Protocol (TCP) functionality to the multiple segments, as recited by claims 1, 3-10, 15 and 17-54.

Accordingly, for at least all the above reasons, claims 1, 3-10, 15 and 17-54 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 11-14 and 16 over Gleeson in view of Dunlop, Schuster, and Meyer

In the Office Action, claims 11-14 and 16 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Gleeson in view of Dunlop and Schuster, and in further view of U.S. Patent No. 6,778,099 to Meyer et al. (“Meyer”). The Applicants respectfully traverse the rejection.

Claims 11-14 and 16 recite, inter alia, a protocol gateway to encapsulate multiple segments with a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to the multiple segments. As discussed above, Gleeson, Schuster and Dunlop, either alone or in combination, fail to disclose, teach or suggest such features.

The Examiner relies on Meyer to allegedly make up for the deficiencies in Gleeson, Schuster and Dunlop to arrive at the claimed features. In particular, the Examiner relies on Meyer to allegedly disclose a data link layer and a physical layer that are together adapted to comply with an RIM protocol, an ARDIS protocol, a GPRS protocol, and a GSM protocol. (see Office Action, pages 15, 16 and 17) However, a thorough reading of Meyer reveals that he also fails to disclose a protocol gateway, much less a protocol gateway to encapsulate multiple segments with a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to the multiple segments, as recited by claims 11-14 and 16.

Gleeson, Dunlop, Schuster and Meyer, either alone or in combination, fail to disclose, teach or suggest a protocol gateway to encapsulate multiple segments with a **connectionless protocol header providing Transmission Control Protocol (TCP) functionality** to the multiple segments, as recited by claims 11-14 and 16.

Accordingly, for at least all the above reasons, claims 11-14 and 16 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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